

The New Castle City's Planning Commission Meeting took place on April 28, 2008 at 6:30 p.m. in the City of New Castle's Town Hall.

Members Present: Dr. Jack Norsworthy, Chair
Jim Steele, Co-Chair
Joe DiAngelo
David Bird
Bill Simpson
Dorsey Fiske
Christine Masiello

Members Absent: Elliott Tatum
George Freebery

Staff Present: Marian Hull, URS, City Planner

City Personnel: Mayor John Klingmeyer
City Administrator Cathie Thomas
Building Inspector Jeff Bergstrom

Dr. Norsworthy called the meeting to order at 6:35 p.m. Roll call was taken.

Approval of Minutes – **It was moved and seconded that the minutes of the 3/24/08 meeting be approved. The motion was adopted.**

Budget Review – There are no changes to report.

Minor Sub-Division & Site Plan Review – JH Fisher Apex Sub-Division – Eric Mayer, owner of JH Fisher, explained his application. Mr. Mayer and his engineer fielded questions from Commission members. They have received comments from URS that are mainly housekeeping items. They include entrances to both lots, both lots meet minimum requirements for width and building configuration setbacks, and some of the buildings are pre-existing and sit on property lines. The owner is considering selling the larger lot. Ms. Hull indicated that URS does not have any concerns with this application. Nothing in this proposal conflicts with the updating of our comprehensive plan. **A motion was made and seconded to recommend to City Council approval of the sub-division as submitted with URS recommendations of housekeeping addressed. A roll call vote was ordered and the vote was as follows: Mr. DiAngelo-yes; Mr. Steele-yes; Ms. Fiske-yes; Mr. Bird-yes; Mr. Simpson-yes; Ms. Masiello-yes; Dr. Norsworthy-yes**
The motion was adopted by unanimous vote.

Proposed Rezoning of the Hermitage at 901 Delaware Street – William J. Rhodunda, Jr., Counsel, and Jeff Williams of Kaercher Engineering reviewed the plan with the Commission on behalf of the equitable owner of the property. The home is in great disrepair due to fire damage. It is over 200 years old. It is currently owned by the Deemer family. Mrs. Deemer forwarded a letter to the Council and this Commission stating her request to change the zoning from OS&R to R3. R3 zoning permits a denser project; we are proposing town homes.

Mr. Williams provided an overview of the project. Most of the development will take place within the open area between the marsh and wooded area and the school. He confirmed that the Hermitage will be raised as part of this project. Ms. Hull has not had time to prepare a report to date. Concern was expressed about the wildlife in the area; they will have less living area if this project goes forward. There is a portion behind this parcel that is administered by the Trustees. The applicant is in contact with Tim Skully, a realtor, who has been in contact with the Trustees' attorney. Mr. Bergstrom indicated there is an active arson investigation taking place at present. Mr. Simpson asked if there has been any consideration by the developer to repair the Hermitage and integrate it into the new development. The applicant wants to incorporate some historical aspect of the property. Mr. Simpson cited the church as a similar situation and it was rebuilt. Traffic issues were also raised. Surrounding zoning is open space and R1 and the closest R3 zoning is across the street (Rt. 273). *(Additional discussion about the project followed.)* A question was raised about flood plain issues. Mr. Williams said their preliminary map shows none on this property but there are some along the railroad track and on Trustees land. They would not affect the applicant's property. **A motion was made and seconded to table this matter until more information is received. The motion was approved by unanimous vote.**

Mike Alfree of the Trustees clarified that the Trust has received two letters inquiring about an easement or right-of-way on Ninth Street.

Leon DiAscanis offered concern about how the Hermitage is going to be developed. His family business, DiAscanis Construction, has been involved with negotiations with Mrs. Deemer for 8 to 9 months. They want to retain the Hermitage. They feel the entire building can be reconstructed then build no more than six (6) row homes on the lot without crowding the Hermitage. Construction of these row homes is to help offset the cost of reconstructing the Hermitage. He wanted to present their proposal to this Commission. They feel it has the best interests of the community and its residents. *(Discussion followed.)*

At this time it is this Commission's role to look at a zoning change from OS&R to R3 and possibly R1 because of the density for this property. We cannot force or influence the owner as to who she sells the property to.

Comprehensive Plan Update – Marian Hull distributed a packet of information to Commission members and reviewed same. This information reflects what was submitted to the State previously and much of this information comes from the most recent Annual Report to the State. She is continuing to work with City staff, DeIDOT, WILMAPCO, and others who have knowledge about this information to continue updating. *(Discussion followed about how to determine the status of items in the packet.)* Ms. Thomas has reviewed the information and provided her feedback to Ryan Mawhinney of URS. Mr. Bergstrom is still formulating his response. The Mayor has serious concerns about the lack of human concerns in this information. He also serves on WILMAPCO, which is a resource. Ms. Hull said that one of the areas not included in the plan concerns recreation. She did not have enough direction to include that item in the information distributed

tonight. *(Ms. Hull offered suggestions on a path forward.)* Dr. Norsworthy reminded that we do have money budgeted and we do have outreach monies to enable us to get some public input. Ms. Hull suggested meeting more than once per month to develop a process and move forward. *(Lengthy discussion followed.)* She will begin consolidating items and work with staff and other agencies with knowledge of what has been happening and come back to this body with the most concise information of where we are today. She reminded the Commission that start up on these projects is always frustrating and challenging. Dr. Norsworthy suggested that all Commission members review the document and talk to citizens and others, an updated document to include Mr. Bergstrom's input can be provided by URS and we should be prepared to discuss at our May meeting. We can decide on a workshop after our next meeting. *(Discussion followed about a mission statement that we can refer to as a guiding tool and identifying priorities.)*

A motion was made and seconded that the Planning Commission will wait for the revised list from URS, prioritize the five things we believe they should be working on, and identify what items to delete and review at our next meeting. The motion was passed by unanimous vote.

General Discussion

Mr. Bird distributed copies of information he received at a recent University of Delaware Institute for Public Training session that he attended. The topic was "Community Design."

Mr. Bird suggested having WILMAPCO make a brief presentation at our next meeting on the 1999 Transportation Plan that was done for the City through consultants. They can also bring this Commission up to date on the status of their recommendations to us. It was reported that they are looking favorably at Ms. Thomas' letter requesting grant monies.

Adjournment – **It was moved and seconded to adjourn the meeting.** The meeting was adjourned at 8:20 p.m.

Next Meeting -- Our next meeting is scheduled for May 19, 2008.

Respectfully submitted,

Debbie Turner
Stenographer